REMARKS

This Response is submitted in reply to the Office Action dated November 26, 2007. Claims 37-76 are pending in the present application. Claims 20-35 have been canceled. Claims 37-76 have been added. Claims 37, 56, 75, and 76 are in independent form. No new matter was introduced as a result of the amendments. Enclosed is a One-Month Extension of Time to reply to the Office Action. Please charge deposit account 02-1818 for all fees due in connection with this Response.

The Office Action rejected claims 20-35 under 35 U.S.C. §112 for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the Examiner stated that "[a] method for one of encoding and decoding" is indefinite since it is not clear whether the Applicant is claiming a method for encoding or decoding. As currently recited, the claims particularly point out and distinctly claim either a "method of encoding" or a "method of decoding," rather than a "method for one of encoding and decoding." In addition, the Examiner stated that the term "providing that" is indefinite. Accordingly, the term "providing that" is not recited in the claims as currently recited. In light of the amendments made herein, Applicant respectfully traverses such rejection.

The Office Action rejected claims 20-35 under 35 U.S.C. §101 for being directed to non-statutory subject matter, specifically, an abstract method for providing an abstract data structure over a transmission channel. As currently recited, the claims require "storing a first data packet" among other elements. Applicant asserts the claims as currently recited are not an directed to abstract method for providing an abstract data structure. In light of the amendments made herein, Applicant respectfully traverses such rejection.

The Office Action rejected claims 20-35 under 35 U.S.C. §102(b) as being anticipated by AVD-2060 (AVD-2060, Generic erasure protection with in-band signaling of protection profiles [enhanced APC-1992], March 5 – 9, 2001, pages 1-17) and under 35 U.S.C. §103(a) as unpatentable over AVD-2060 in view of Schulzrinne (Shulzrinne, Casner, Frederick, Jacobson, RTP: A Transport Protocol for Real-Time Applications, January 1996, pages 1-75). In light of the amendments made herein, Applicant respectfully disagrees with, and traverses, such rejection.

The Office Action states that AVD-2060 teaches "that each RTP packet includes a sequence number in the header of the RTP packet" in the last paragraph of page 8. Applicant

agrees that the cited portion discloses a sequence number in the header of the RTP packet. However, the cited portions of AVD-2060 do not disclose a sequential number <u>and a block identifier</u> as currently claimed. It should be appreciated that a sequential number is different than the recited "block identifier." As described in Fig. 2 of the present application, the field 219 contains a sequential number while the field 220 contains either an identifier or a width. As described in Fig. 4, the header 403 contains a sequential number field 406 and a designation field 408. The designation field contains either an identifier 409 or a width 410 (see specification, paragraphs 46 and 56, and Figs. 2 and 4). As described in Fig. 5, an example embodiment is provided showing data packets with sequential numbers and block identifiers. For example, data packet 510 includes a sequential number of 14 and a block identifier of 10, and clearly, 10 is different than 14. Accordingly, the cited portions of AVD-2060 do not disclose "storing a first data packet, the first data packet including <u>a first sequential number and a first block identifier</u>; storing a second data packet, the second data packet including <u>a second sequential number and a block width</u>;" as currently recited in independent claims 37 and 56 and similarly recited in claims 75 and 76. Furthermore, the cited portions of AVD-2060 do not disclose transmitting some data packets with a <u>block identifier</u> and other data packets with a <u>block width</u> in an <u>alternating</u> fashion. Schulzrinne does nothing to supplement AVD-2060 with respect to teaching the block identifier as currently recited in the claims. Therefore, AVD-2060 alone, or in combination with Schulzrinne, does not teach all of the limitations of independent claims 37, 56, 75, and 76 as currently claimed.

All of the other pending claims depend from independent claims 37 and 56, and the Office Action relies on AVD-2060 alone, or in combination with Schulzrinne, as the basis of rejection for all of the rejected claims. Therefore, Applicant asserts that dependent claims 38-55 and 57-74 are now in condition for allowance.
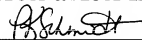
For all the reasons provided above, Applicant submits that all of the claims are in condition for allowance. An earnest endeavor has been made to place this application in condition for formal allowance and such action is courteously solicited. If the Examiner has any questions regarding this Response, applicant respectfully requests that the Examiner contact the undersigned.

The Commissioner is hereby authorized to charge deposit account 02-1818 for any fees which are due and owing.

Respectfully submitted,

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BY _____

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